

MAY 17 2004

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
BUR920000059US1

In Re Application Of: Bryant et al.

Serial No.
09/886,823

Filing Date
6/21/01

Examiner
Abraham, F.

Group Art Unit
2826

Title: DOUBLE GATED TRANSISTOR AND METHOD OF FABRICATION

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Petition Under 37 CFR 1.181(a)-1 page
Copy of Response to Office Action filed 7/15/02-4 pages
Confirmation - 1 page

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 09-0456(IBM) as described below.
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- ☒ Charge any additional fee required.

Jack P. Friedman
Signature

Dated: 05/13/2004

Jack P. Friedman
Reg. No. 44,688
Schmeiser, Olsen & Watts
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Latham, NY 12110
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I certify that this document and fee is being deposited on 5/13/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kim Dwileski
Signature of Person Mailing Correspondence

Kim Dwileski

Typed or Printed Name of Person Mailing Correspondence

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

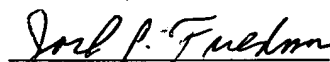
Petition Under 37 C.F.R. §1.181(a)

This Petition is in reference to the Notice of Abandonment mailed May 31, 2003.

Applicants request withdrawal of the holding of abandonment for the above-referenced matter.

Enclosed please find a copy of the Response filed on July 15, 2002, with confirmation that the

Response was received by the United States Patent and Trademark Office.



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** TX CONFIRMATION REPORT **

AS OF JUL 15 2002 09:26 PAGE. 1

COMMAND #228

001 DATE TIME
7/15 09:24

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent

In re Application: Bryant et al.

Today's Date: July 15, 2002

Serial No.: 09/886,823

Group Art Unit: 2826

Filed: 21 June 2001

Examiner: Abraham, F.

Fax: (703) 746-4125

Title: Double Gated Transistor and Method of Fabrication

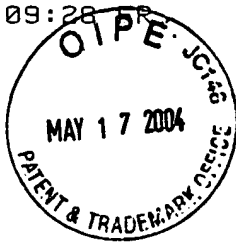
AMENDMENT UNDER 35 USC 132

To the Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action of February 28, 2002, in which claims 26 and 27 stand objected to, claims 25 and 28-35 stand rejected, and claims 36-40 stand allowed, kindly reconsider such rejections and objections in light of the comments below. Applicants do not believe that any fee is due for the submission and consideration of the present paper; however, should the Patent Office determine that such a fee is due, Applicants hereby authorize the Patent Office to charge their Deposit Account 09-0456 such sums as may be due for the submission and consideration of this paper.

CERTIFICATE OF MAILING	
I hereby certify that, on the date shown below, this correspondence is being:	
MAIL	FACSIMILE
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231.	<input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office.
Date: <u>7/15/02</u>	<u>PAT BLAIR</u> Name
	<u><i>Pat Blair</i></u> Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Patent**

In re Application: Bryant et al.

Today's Date: July 15, 2002

Serial No.: 09/886,823

Group Art Unit: 2826

Filed: 21 June 2001

Examiner: Abraham, F.

Fax: (703) 746-4125

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☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents,
Washington, DC 20231.

Date: 7/15/02**FACSIMILE**

☒ transmitted by facsimile to the Patent and Trademark Office.

PAT BLAIR

Name

Pat Blair

Signature

In the Claims

Cancel claims 31 and 33, without prejudice or disclaimer.

Remarks

The present request for reconsideration is proffered in response to the Office Action of April 19, 2002, in which claims 26 and 27 stand objected to, claims 25 and 28-35 stand rejected, and claims 36-40 stand allowed.

At the outset, Applicants express their appreciation for the Examiner's careful review of their application and the allowance of their claims 36-40.

In the Office Action, claims 25, 30, 32, and 35 stand rejected as being anticipated by U.S. patent 4,041,519 ("Melen"). In response, Applicants respectfully submit that Melen neither teaches nor suggests first and second gate structures having different fermi levels, as recited in independent claim 25 (and as recited in claims 30, 32, and 35 via their dependency on claim 25). As taught in the last paragraph on page 5 (bridging to page 6) of the present application, the "fermi level" of a gate is the extent to which has an affinity for inversion carriers. For gates to have different fermi levels, they must differ from one another in terms of doping or some other significant conductivity characteristic.

In Melen, there is absolutely no teaching or suggestion that the two conductors 88, 90 have any difference in conductivity characteristics. If anything, the overall image sensor teachings of Melen would suggest that the two conductors have the same conductivity characteristics. Note in the generic process description of the device taught by Melen, a single P polysilicon layer is taught that provides both the "row gate" 60 and "shield" 62 shown in the front figure of Melen. Col. 6, lines 28-53. There is no process step taught that would introduce any sort of differential

in fermi levels between the row gate and the shield - implying these two conductors have the same fermi level. These structures appear to be the same in formation and operation as the "row gate" 88 and "shield" 90 taught at Col 5, lines 5-9 and cited by the Examiner as anticipating the invention.

Since Melen does not teach or suggest gates with different fermi levels, nor does it teach or suggest gates with different fermi levels in the context of the other limitations of the independent claim 25, Applicants respectfully submit that the rejections of record of claims 25, 30, 32, and 35 have been traversed.

In the Office Action, claims 28, 29, 31, 33, and 34 stand rejected as being unpatentable in view of Melen. In response, Applicants have cancelled claims 31 and 33. Applicants respectfully submit that Melen does not obviate claims 28, 29, and 34 for the reasons set forth above, since all of these claims draw their dependency from claim 25. Accordingly, Applicants respectfully submit that the rejections of record of claims 28, 29, and 34 have been traversed.

Finally, in the Office Action, claims 26 and 27 stand objected to as being dependent on a rejected base claim. However, since the base claim in question is claim 25, and since claim 25 has been distinguished from Melen as set forth above, Applicants respectfully submit that claims 26 and 27 are allowable in their current, dependent form. Accordingly, Applicants respectfully submit that the objections of record of claims 26 and 27 have been traversed.

Accordingly, Applicants respectfully request entry of the present Amendment and passage of their subject application to issuance in view thereof. Should the Examiner have any comments,

questions, or suggestions, please do not hesitate to contact the undersigned attorney at the telephone number and/or email address set forth below.

Respectfully submitted,

For: Bryant et al.

By: 

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